

OGC HAS REVIEWED.

8 June 1955

MEMORANDUM FOR: Auditor in Chief
Chief, Finance Division

SUBJECT : Interpretation of General Counsel's Opinion 55-8

REFERENCE : General Counsel's Opinion 55-8, Dated 22 March 1955

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1. In connection with the General Counsel's Opinion 55-8, General [REDACTED] has raised the question of whether or not, under the theory of Executive Order 9805, an employee of the Agency who does not take his maximum amount of household effects overseas may ship to a place of storage a portion of these effects which, in combination with those taken overseas, causes him to exceed his weight allowance if the overall cost would be less than, or equal to, that of the most economical direct-route shipment of his maximum allowance of effects. In short, the question is whether the controlling factor in such a case of dual shipment is one of cost or weight allowance, or both.

2. We believe that both cost and weight allowance are limiting factors in this situation. Both Agency regulations and the Foreign Service Travel Regulations provide for maximum weight limitations. And the limitation on cost is made quite clear in the Executive Order. To provide an example, if a given employee's weight allowance is 10,000 pounds and he wishes to take 5,000 pounds overseas with him then he may only ship 5,000 pounds for storage within the United States. He may not ship an amount greater than 5,000 pounds for storage even though the cost of shipping such an amount plus the cost of shipping the 5,000 pounds to the overseas station is less than, or equal to, the cost of the most economical direct-route shipment of the maximum allowances of his effects. Additionally, of course, the amount of effects which are left behind for storage may be shipped to storage at government expense only insofar as the cost of such shipment, in connection with that of the shipment overseas, does not exceed the cost of the most economical direct-route shipment of the maximum allowance to the overseas station.

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3. We trust that this will answer the question raised by General [REDACTED] and that it will provide guidance both for his office and the appropriate elements within the Finance Division.

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[REDACTED]

Office of General Counsel

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Distribution

cc: Chief, Finance Div.
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